

TOWN OF TOPSFIELD MASSACHUSETTS



Annual and Special Town Meeting Warrants

Finance Committee Recommendations

MAY 3, 2005
TOWN MEETING

T O P S F I E L D W O R K I N G T O G E T H E R

**WARRANT FOR THE 2005 ANNUAL TOWN MEETING
AND FINANCE COMMITTEE RECOMMENDATIONS FOR FISCAL YEAR 2006**

PLEASE NOTE: This report represents recommendations as of April 12, 2005. The position of the Finance Committee on various warrant articles is subject to change based upon further input.

Essex, ss.

To the Constable of the Town of Topsfield, in said County,

In the name of the Commonwealth of Massachusetts, you are directed to notify the inhabitants of the Town of Topsfield, qualified to vote in elections and in Town affairs, to meet at the

**PROCTOR SCHOOL
WOODBURY AUDITORIUM**

in said Topsfield, on Tuesday, the third day of May, 2005, at seven o'clock in the afternoon (7:00 PM), then and there to act on the following articles:

REPORTS

ARTICLE FIRST: To hear all reports that may legally come before the meeting.

RESERVE FUND

ARTICLE SECOND: To see if the Town will vote to raise and assess or transfer from available funds and appropriate a sum of money for the Reserve Fund, or take any other action relative thereto.

Recommended that the Town vote to appropriate the sum of \$150,000 for the Reserve Fund; and to meet said appropriation that the Town raise and assess the sum of \$130,000 and transfer the sum of \$20,000 from the Overlay Surplus Reserve.

This article funds the Finance Committee's Reserve Fund that is the amount annually set aside within the Town's Budget to provide a funding source for extraordinary and unforeseen expenditures.

GENERAL OPERATING BUDGET

ARTICLE THIRD: To see if the Town will vote to fix the annual salary and compensation of all elected officers, and raise and assess, and appropriate money for schools, highways, and other Town expenses, from July 1st and determine the manner of expending the same.

Recommended that the Town vote to raise, assess, and appropriate the sum of \$12,863,132 for schools, highways, and other Town expenses, and fix the annual salary and compensation of all elected officers from July 1st and determine the manner of expending the same.

This article approves the Fiscal Year 2006 General Operating Budget for the Town for general government purposes and the elementary schools. A portion of the funding for this article is subject to a general override question.

Refer to Attachment A for the detailed Fiscal Year 2006 General Operating Budget.

AMEND PERSONNEL BYLAW

ARTICLE FOURTH: To see if the Town will vote to amend the Town Code, Chapter XLI, Personnel Bylaw; a copy of which is on file in the Selectmen's Office, or take any other action relative thereto.

Recommendation pending further consideration.

This amendment article would change the Personnel Bylaw which relates to non-union employees to include: an annual appointment of a full time employee as an advisor to the Personnel Board, applicability of the Personnel Bylaw to individual employment contracts, sick day accumulation from 180 to 220 days, a bereavement day "...for any other relation by blood or marriage", incorporating a longevity bonus prorated by scheduled work hours, and changes to the "Classification and Compensation Plan" with effective increases of 1.5% as of July 1, 2005 and 1.5% as of December 29, 2005 for fiscal 2006 salary and wages.

WATER DEPARTMENT OPERATING BUDGET

ARTICLE FIFTH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate funds for the Water Department from July 1st and determine the manner of expending the same, or take any other action relative thereto.

Recommended that the Town vote to appropriate \$692,074 as detailed herein, to operate the Water Department from July 1, 2005, through June 30, 2006, of which \$603,740 to come from Water Revenue and \$88,334 of indirect costs appropriated in the General Fund under Article Third above to be funded from Water Revenue.

Appropriated 2004-2005		Proposed Appropriation 2005-2006
	WATER DEPARTMENT OPERATING BUDGET	
56,190.00	Salary	57,460.00
135,073.00	Wages	136,960.00
193,398.00	Other	198,238.00
5,500.00	Long-Term Debt Principal	5,500.00
5,802.00	Long-Term Debt Interest	5,582.00
121,882.00	Water Reserve Fund	125,000.00
75,000.00	Unanticipated Emergency	75,000.00
592,845.00	SUB-TOTAL	603,740.00
73,551.00	Indirect Costs	88,334.00
666,396.00	TOTAL: Water Department	692,074.00

This article approves the Fiscal Year 2006 Operating Budget for the Water Department.

MASCONOMET REGIONAL SCHOOL DISTRICT ASSESSMENT

ARTICLE SIXTH: To see if the Town will vote to approve the 2006 Fiscal Year Gross Budget of Masconomet Regional School District in the amount of \$23,782,955 and raise and assess or transfer from available funds, and appropriate a sum of money for the Town's share of the assessment, \$4,809,032, of same, or take any other action relative thereto.

Recommended that the Town vote to appropriate the sum of \$4,809,032 to fund the Town's share of the Fiscal Year 2006 Masconomet Regional School District Assessment of which the sum of \$4,332,816 supports the Maintenance & Operating Budget, and the sum of \$476,216 supports the Masconomet Building Debt Service; and to meet said appropriation raise and assess the sum of \$4,494,108 and transfer the sum of \$314,924 from Fiscal 2005 Funds Reserved for Appropriation.

This article approves the Fiscal Year 2006 Assessment for the Masconomet Regional School District. A portion of funding for this article is subject to a general override question.

ESTABLISHMENT OF MASCONOMET STABILIZATION FUND

ARTICLE SEVENTH: To see if the Town will vote to approve the establishment of a stabilization fund by the Masconomet Regional School District, beginning July 1, 2005, under the provisions of M.G.L. Chapter 71, Section 16G ½, or take any other action relative thereto.

Recommended that no action be taken.

This article requested by the Masconomet Regional School District Committee would establish a stabilization fund for the Masconomet Regional School District as a mechanism for funding future capital expenditures. Funding would occur from internal fund transfers or from future warrant article requests. The establishment of a regional school district stabilization fund requires the majority vote of all members of the regional district school committee and the approval of a majority of the local appropriating authorities of the member municipalities.

TRI-TOWN COUNCIL ADJUSTMENT COUNSELOR

ARTICLE EIGHTH: To see if the Town will vote to raise and assess or transfer from available funds and appropriate a sum of money to fund the Town's share for the Tri-Town Council's position request for an additional Adjustment Counselor, or take any other action relative thereto.

Recommended that no action be taken.

This article is in response to the Tri-Town Council's request for \$20,000 to fund part of an additional Adjustment Counselor position. Topsfield's portion of that Adjustment Counselor position would be used to assist students and families in Topsfield.

NORTH SHORE VOCATIONAL SCHOOL DISTRICT ASSESSMENT

ARTICLE NINTH: To see if the Town will vote to approve the 2006 Fiscal Year Gross Operating Budget of the North Shore Regional Vocational School District in the amount of \$8,215,784 and raise and assess or transfer from available funds, and appropriate a sum of money for the Town's share of the assessment of same, or take any other action relative thereto.

Recommended that the Town vote to approve the 2006 Fiscal Year Gross Operating Budget of the North Shore Regional Vocational School District in the amount of \$8,215,784 and raise, assess, and appropriate the sum of \$46,517 for the Town's share of the assessment of same.

This article approves the Fiscal Year 2006 Assessment for the North Shore Regional Vocational School District.

LEASE OF EMERSON FIELD

ARTICLE TENTH: To see if the Town will vote to authorize the Board of Selectmen (under such terms as they deem advisable), to enter into a lease with the Congregational Church of Topsfield for certain property in Topsfield commonly known as Emerson Field, and to see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money for this lease, or take any other action relative thereto.

Recommended that the Town vote to authorize the Board of Selectmen (under such terms as they deem advisable), to enter into a lease with the Congregational Church of Topsfield for certain property in Topsfield commonly known as Emerson Field, and raise, assess and appropriate the sum of \$750 for said lease.

This article allows the Town to enter into an annual agreement with the Congregational Church to lease Emerson Field for recreational purposes.

GRANT AUTHORIZATION FOR TOWN PROJECTS

ARTICLE ELEVENTH: To see if the Town will vote to authorize the Board of Selectmen to apply for, accept, and expend without further appropriation any private, state, or federal grants or loans for Town projects, or take any actions thereto.

Recommended that the Town vote to authorize the Board of Selectmen to apply for, accept, and expend without further appropriation any private, state, or federal grants or loans for Town projects.

This annual article would allow the Board of Selectmen to apply for, accept and expend any private, state, or federal grants and loans for Town projects.

MASSACHUSETTS HIGHWAY DEPARTMENT CONTRACT

ARTICLE TWELFTH: To see if the Town will vote to authorize the Board of Selectmen to enter into a contract with the Massachusetts Highway Department for the ensuing year, or take any other action relative thereto.

Recommended that the Town vote to authorize the Board of Selectmen to enter into a contract with the Massachusetts Highway Department for the ensuing year.

This annual article allows the Town to enter into contracts with the State for highway purposes and to accept state funds such as Chapter 90 funds for road maintenance and reconstruction.

STAND ALONE SENIOR CENTER (PETITION)

ARTICLE THIRTEENTH: To see if the Town will vote to give the land known as the Old Highway Garage Site on School Street to the Council on Aging for the purpose of constructing a senior center for the Town. The senior center will be built with grants and donations from individuals and companies. There will be no town monies used for construction. If after two years of fund-raising, enough money has not been raised to build the center the land will revert back to the town.

Recommended that no action be taken.

This petition article would place the land known as the "Old Highway Garage" site in the custody of the Council of Aging for the purpose of constructing a senior center. The site would be designated for this purpose for a period of two years ending in May of 2007 during which time the Council would be raising through private donations and possible grants the funds to construct the facility.

PARK REVOLVING FUND

ARTICLE FOURTEENTH: To see if the Town will vote to establish a revolving fund for the Park & Cemetery Department pursuant to Massachusetts General Law Chapter 44, § 53E1/2, or take any other action relative thereto.

Recommended that the Town vote to establish the Park Revolving Fund for the Park & Cemetery Department pursuant to Massachusetts General Law Chapter 44, § 53E1/2: (1) to pay for part-time wages, equipment, supplies and other operating expenses; (2) receipts of the Park & Cemetery Department's recreation programs shall be deposited in said fund unless otherwise provided for by law; (3) said funds may be expended by majority vote of the Park & Cemetery Commissioners; (4) expenditures to be limited to \$25,000 in the ensuing year.

This annual article would approve the establishment of the Park Revolving Fund, and would also approve a spending limit in the amount of \$25,000 for fiscal 2006. This fund would be used to support the recreation programs established by the Recreation Committee under the statutory authority of the Park & Cemetery Commission. The recreation programs would include non-competitive activities for all age groups in Town. Fees charged to the participants in the recreation programs would be deposited in this fund to pay for various operating expenses.

CEMETERY REVOLVING FUND

ARTICLE FIFTEENTH: To see if the Town will vote to establish a revolving fund for the Park & Cemetery Department pursuant to Massachusetts General Law Chapter 44, § 53E1/2, or take any other action relative thereto.

Recommended that the Town vote to establish the Cemetery Revolving Fund for the Park & Cemetery Department pursuant to Massachusetts General Law Chapter 44, § 53E1/2: (1) to pay for part-time wages, equipment, supplies and other operating expenses; (2) cemetery related receipts of the Park & Cemetery Department shall be deposited in said fund unless otherwise provided for by law; (3) said funds may be expended by majority vote of the Park & Cemetery Commissioners; (4) expenditures to be limited to \$25,000 in the ensuing year.

This annual article would approve the establishment of the Cemetery Revolving Fund, and would also approve a spending limit in the amount of \$25,000 for fiscal 2006. Grave opening fees are the main source of revenue deposited into the revolving fund which is used by the Department for major infrastructure improvements to the Pine Grove Cemetery inclusive of road paving and reconstruction, land clearing for new areas, and the purchase of capital equipment.

CONSERVATION COMMISSION REVOLVING FUND

ARTICLE SIXTEENTH: To see if the Town will vote to establish a revolving fund for the Conservation Commission pursuant to Massachusetts General Law Chapter 44, § 53E1/2, or take any other action relative thereto.

Recommended that the Town vote to establish the Conservation Revolving Fund for the Conservation Commission pursuant to Massachusetts General Law Chapter 44, § 53E1/2: (1) to be expended for any purpose authorized by Massachusetts General Law Chapter 40, § 8C; (2) receipts of the Conservation Commission of fees paid under the Topsfield Wetlands General Bylaw and Regulations will be deposited in said fund unless otherwise provided for by law; (3) said funds may be expended by majority vote of the Conservation Commissioners; (4) expenditures to be limited to \$30,000 in the ensuing year.

This annual article would approve the establishment of the Conservation Revolving Fund, and would also approve a spending limit in the amount of \$30,000 for fiscal 2006. This revolving fund would support the funding of the Conservation Commission's operating budget. It may also support required services and other expenditures relative to the enforcement of the Town's local Wetland's Bylaw.

FISCAL 2006 ADDITIONAL REAL ESTATE EXEMPTION FOR THOSE QUALIFIED UNDER SECTION 5 OF M. G. L. CHAPTER 59

ARTICLE SEVENTEENTH: To see if the Town will vote an exemption for fiscal 2006 under the provisions of Section 4 of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988, or take any other action relative thereto.

Recommended that the Town vote under the provisions of Section 4 of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 an exemption increase of one hundred per cent (100%) for fiscal 2006 for all taxpayers qualifying for a personal exemption.

This local option provision, accepted at the May 2001 Town Meeting, requires an annual Town vote to approve any increase in the amount of exemptions granted to those applicants who qualify under various clauses under Chapter 59, Section 5 that include the elderly, blind, surviving spouses and minor children, and veterans. The amount voted shall not exceed twice the statutory amount of the Chapter 59 exemption for which the taxpayer qualifies; further this

additional amount shall not result in a taxpayer paying less taxes than in the preceding year. The percentage amount voted must be uniform for all classes.

ANNUAL ENGINEERING & LANDFILL MONITORING

ARTICLE EIGHTEENTH: To see if the Town will vote to transfer and appropriate a sum of money from the Solid Waste Fund to be expended by the Board of Selectmen to fund the fiscal 2006 annual professional engineering and monitoring services related to the capping and closure of the Town's sanitary landfill, or take any other action relative thereto.

Recommended that the Town vote to transfer and appropriate the sum of \$54,450 from the Solid Waste Fund to be expended by the Board of Selectmen to fund the fiscal 2006 annual professional engineering and monitoring services related to the capping and closure of the Town's sanitary landfill.

This annual article would allow the Town to contract for the engineering and monitoring services that are required as part of the Administrative Consent Order issued by the Department of Environmental Protection (DEP) for the capping and closure of the sanitary landfill, and that are also required by the Post Closure Use Permit which allows recreational use. This annual appropriation includes funding for monitoring of private wells and the filing of the Notice of Response and other required documentation to the DEP.

ACCEPTANCE OF QUARTERLY TAX BILLING

ARTICLE NINETEENTH: To see if the Town will vote to accept Massachusetts General Law Chapter 59, Section 57C for purposes of quarterly tax billing, or take any other action relative thereto.

Recommendation pending further consideration.

The acceptance of this statute would allow the Town to bill real estate and personal property taxes on a quarterly billing basis. Quarterly tax billing of real and personal property taxes provides a timely source of revenue to the Town. Passage of this article will better enable the Town to meet its substantial quarterly obligations. Semi-annual revenue from the tax billing of real and personal property taxes requires the Town Treasurer to borrow from the Stabilization Fund and issue Revenue Anticipation Notes to meet the Town's obligations at certain times of the year. Short-term borrowing costs and the loss of interest income from the Stabilization Fund are costly to the Town. If approved for a fiscal year 2007 (July 1, 2006) implementation date, the Town will have time to make the transition to quarterly real and personal property tax billing.

TOWN HALL RENOVATIONS AND EXPANSION DESIGN

ARTICLE TWENTIETH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Town Hall Building Committee to fund the final design for the renovations and expansion of the Town Hall, provided, however, that any appropriation authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (i ½), or take any other action relative thereto.

Recommended that no action be taken.

This capital article would fund the completion of the construction & bid documents for the Town Hall Building Project. These documents would describe the construction required to bring the 1873 National Register Historic building into compliance with the Americans With Disabilities Act and to make long overdue improvements to the infrastructure of the Town Hall. The renovations and expansion would include the installation of an elevator that would provide access to all levels of the existing structure as well as the addition. Approvals have been acquired for this work from the Topsfield Historical Commission and the Massachusetts Historical Commission.

EXTERIOR REPAIRS AND PAINTING OF TOWN LIBRARY

ARTICLE TWENTY-FIRST: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Library Trustees for the repairs and painting of the exterior wooden eaves and decorative columns on the original 1930's structure and painting of all exterior trim of the Town Library, or take any other action relative thereto.

Recommended that the Town vote to transfer from Free Cash, and appropriate the sum of \$25,500 to be expended by the Board of Selectmen with the advice of the Library Trustees for the repairs and painting of the exterior wooden eaves and decorative columns on the original 1930's structure and painting of all exterior trim of the Town Library.

This article would provide funding to repair the original façade and paint the Library's exterior trim. During the Library building project in 1999, the interior of the original building was renovated but only minimal repairs were made to the original facade. This would allow maintenance for portions of the 65 year old façade as well as painting of all exterior trim.

REPLACEMENT OF PROCTOR SCHOOL GYM FLOOR

ARTICLE TWENTY-SECOND: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen, with the advice of the School Committee, for the replacement and installation of a new gym floor at the Proctor School, or take any other action relative thereto.

Recommended that Town vote to raise, assess and appropriate the sum of \$53,247 to be expended by the Board of Selectmen, with the advice of the School Committee, for the replacement and installation of a new gym floor at the Proctor School.

This article would provide funding to install a new floor in the Proctor School gym. The current six year old tile floor in the gym is separating from the concrete subsurface, is a safety hazard and cannot effectively be repaired.

PURCHASE OF HIGHWAY MUTI-PURPOSE TRACTOR BY A LEASE AGREEMENT

ARTICLE TWENTY-THIRD: To see if the Town will authorize the Board of Selectmen with the advice of the Board of Road Commissioners to enter into a three year lease-to-purchase agreement for the procurement and equipping of a multi-purpose tractor, and trade in or sell the 1992 Holder tractor; and to meet said appropriation raise and assess a sum of money; provided, however, that any appropriation authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (i ½), or take any other action relative thereto.

Recommended that the Town authorize the Board of Selectmen with the advice of the Board of Road Commissioners to enter into a three year lease-to-purchase agreement for the procurement and equipping of a multi-purpose tractor, and trade in the 1992 Holder tractor; and to meet said appropriation raise and assess the sum of \$33,754; provided, however, that any appropriation authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (i ½).

This article would approve the leasing of a new multipurpose tractor to replace the 13 year old multi-purpose tractor that is currently owned by the Town. This lease is a municipal lease-to-purchase agreement resulting in the Town's ownership of the tractor at the end of the three year lease period. The new tractor would be used to clear snow from sidewalks and for seasonal sweeping and mowing.

ENGINEERING SERVICES FOR THE RECONSTRUCTION DESIGN OF TOWN BRIDGES

ARTICLE TWENTY-FOURTH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Board of Road Commissioners for professional engineering services for the reconstruction design of the Asbury Street Bridge and the Rowley Bridge Street Bridge over the Ipswich River; provided, however, that any appropriation authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (i ½), or take any other action relative thereto.

Recommended that the Town vote to raise, assess and appropriate the sum of \$50,000 to be expended by the Board of Selectmen with the advice of the Board of Road Commissioners for professional engineering services for the reconstruction design of the Asbury Street Bridge and the Rowley Bridge Street Bridge over the Ipswich River; provided, however, that any appropriation authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (i ½).

The Asbury Street Bridge and the Rowley Bridge Road Bridge crossing the Ipswich River need to be rebuilt to ensure safe, continued use. This article would provide funding to contract for engineering services to design and prepare bids for the anticipated bridge reconstruction. It is estimated reconstruction of each bridge will cost about \$250k and that funding for that construction will be requested in fiscal years 2007 and 2008.

PURCHASE OF PARK & CEMETERY ONE TON FOUR WHEEL DRIVE DUMP TRUCK

ARTICLE TWENTY-FIFTH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Board of Park & Cemetery Commissioners to purchase and equip a one ton four wheel drive dump truck with plow and rack bed; provided, however, that any appropriation authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (i ½), or take any other action relative thereto.

Recommended that Town vote to appropriate the sum of \$37,500 to be expended by the Board of Selectmen with the advice of the Board of Park & Cemetery Commissioners to purchase and equip a one ton four wheel drive dump truck with plow and rack bed; and to meet said appropriation transfer the sum of \$15,000 from the Cemetery Perpetual Care Fund and raise and assess the sum of \$22,500; provided, however, that the appropriation in the amount of \$22,500 authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (i ½).

This capital article would approve the purchase of an additional one ton four wheel drive dump truck for the Park & Cemetery Department. The Department's responsibilities and the acreage it maintains have increased. This truck would be used to move materials and personnel around town and around the Town's cemeteries as well as for plowing snow.

PURCHASE OF POLICE CRUISER

ARTICLE TWENTY-SIXTH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Police Chief to purchase and equip a vehicle to be used as a police cruiser, and trade in or sell the existing 1997 Ford Crown Victoria; provided, however, that any appropriation authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (i ½), or take any other action relative thereto.

Recommended that the Town vote to raise, assess and appropriate the sum of \$31,500 to be expended by the Board of Selectmen with the advice of the Police Chief to purchase and equip a vehicle to be used as a police cruiser, and

trade in the existing 1997 Ford Crown Victoria; provided, however, that any appropriation authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (i ½).

This capital article would approve the purchase of new police cruiser to replace a 1997 police cruiser with 150k miles of use.

REFURBISH FIRE ENGINE NO. 3

ARTICLE TWENTY-SEVENTH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Fire Chief to refurbish the 1994 Duplex Lucerne Fire Apparatus, known as Engine 3; provided, however, that any appropriation authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (i ½), or take any other action relative thereto.

Recommended that the Town vote to raise, assess and appropriate the sum of \$50,000 to be expended by the Board of Selectmen with the advice of the Fire Chief to refurbish the 1994 Duplex Lucerne Fire Apparatus, known as Engine 3; provided, however, that any appropriation authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (i ½).

This article would provide funding to refurbish the Fire Department's Engine 3. This apparatus has had electrical system problems and it is prone to corrosion due to its design which did not properly address the use of dissimilar metals. The Fire Chief estimates this repair will extend the Engine's useful life 6 years to 2012.

ADDITIONAL FUNDING FOR THE 24/7 OPERATIONAL STAFF EXPANSION OF THE FIRE DEPARTMENT

ARTICLE TWENTY-EIGHTH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Fire Chief to fund a 24 hour, seven (7) days per week operational staff expansion of the Fire Department for the delivery of emergency medical services, and fire related duties to the residents of Topsfield by hiring four (4) additional full time fire fighters; provided, however, that any appropriation authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ general override question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (g), or take any other action relative thereto.

Recommended that no action be taken.

This article would provide funding to add four full time fire fighters to the Fire Department. These four full time fire fighters, along with the new full time fire fighter in the department's fiscal 2006 operating budget, the existing three full time fire fighters and use of part time call fire fighters on shift, will allow the Fire Department to provide staffing of 2 fire fighters/EMT's per shift 24 hours per day, seven (7) days per week. In addition, this staffing is intended to provide expanded medical emergency services to the Town and support billing for the transport of patients in an ambulance. The cost for commencing the ambulance service as of January 1, 2006 is estimated at \$171,589 in fiscal 2006 with the assumption of \$63,000 of revenues from the collection of ambulance service fees. The estimated breakdown of expenses is as follows: Fire Wage Account (\$129,848), Fire Other Account (\$19,720), Life/Medical/Medicare Account (\$20,022), Liability/Accident Insurance Account (\$1,100), Highway Other Account (\$900). A portion of the funding for this article is subject to a general override question.

PURCHASE OF TWO AMBULANCES

ARTICLE TWENTY-NINTH: To see if the Town will vote to raise and assess or transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Fire Chief to purchase and equip two vehicles to be used as ambulances, and trade in or sell the 1995 International Rescue Truck, known as Rescue 1;

provided, however, that any appropriation authorized hereunder shall be contingent upon approval by the voters of a Proposition 2 ½ capital outlay expenditure exclusion question pursuant to the provisions of Massachusetts General Laws Chapter 59, § 21 C (i ½), or take any other action relative thereto.

Recommended that no action be taken.

This capital article would approve the purchase of two new ambulances in the net amount of \$170,816 for use by the Fire Department to support emergency medical services provided by the Department. The Rescue 1 truck, which is currently used to respond to medical emergencies, will be sold or traded in. In addition to the Department's current services, the ambulances, along with proper staffing, would allow the Town to transport patients and bill for those services.

WASHINGTON, GAIL, AND GROVE STREETS WATER MAIN PROJECT

ARTICLE THIRTIETH: To see if the Town will vote to borrow and appropriate a sum of money to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners, to fund the reconstruction of the water main along Washington, Gail and Grove Streets and other project related expenses for the Washington, Gail and Grove Streets Water Main Project, or take any other action relative thereto.

Recommended that the Town vote to appropriate the sum of \$550,000 for the reconstruction of the water main along Washington, Gail and Grove Streets and other project related expenses for the Washington, Gail and Grove Streets Water Main Project; and to meet said appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow the sum of \$550,000 under M.G.L. c. 44, § 8; and the Board of Selectmen with the advice of the Board of Water Commissioners is authorized to take any other action necessary to carry out this project.

This capital article would approve the reconstruction of the water mains on Gail and Grove Streets and on the portion of Washington Street between Main Street to Colrain Road. The existing water mains are undersized, in excess of fifty years old and at high risk of emergency repairs.

REPLACEMENT OF CAB & CHASSIS ON 1995 WATER UTILITY TRUCK

ARTICLE THIRTY-FIRST: To see if the Town will vote to transfer and appropriate a sum of money from the Water Enterprise Reserve Fund to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners, for the replacement of the cab & chassis on the 1995 Ford F-361 water utility truck, or take any other action relative thereto.

Recommended that the Town vote to transfer and appropriate the sum of \$34,500 from the Water Enterprise Reserve Fund to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners, for the replacement of the cab & chassis on the 1995 Ford F-361 water utility truck.

This capital article would approve the purchase of a new truck cab and chassis to replace the Water Department's utility truck. The current 10 year old truck has extensive underbody rust and is no longer economical to maintain. The fiberglass body from the current truck will be transferred to the new chassis.

WATER METER REPLACEMENT PROJECT

ARTICLE THIRTY-SECOND: To see if the Town will vote to transfer and appropriate a sum of money from the Water Enterprise Reserve Fund to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners for the replacement of water meters, or take any other action relative thereto.

Recommended that the Town vote to transfer and appropriate the sum of \$150,000 from the Water Enterprise Reserve Fund to be expended by the Board of Selectmen, with the advice of the Board of Water Commissioners for the replacement of water meters.

This article would approve funding to replace about one third (1/3) of the Town's water meters and is part of a three year program to replace all of the Town's water meters. The average age of the Town's water meters is 20 years old and the meters operate with varying degrees of accuracy. The State has mandated that the Town implement a program to improve measurement of water use. The new meters are in response to that mandate. As an additional benefit, the new remotely read meters will improve the Water Department's operational efficiency and allow more frequent billing and monitoring of use.

AMENDMENTS TO THE WETLANDS GENERAL BYLAW, SECTIONS 62-2, 62-3, and 62-9

ARTICLE THIRTY-THIRD: To see if the Town will vote to amend the Town Code, Chapter 62, the Wetlands General Bylaw, Sections 62-2 and 62-3 to read as described below: **(bold denotes changes and additions)**

"62-2 JURISDICTION.

Except as permitted by the Conservation Commission or as provided in this Bylaw, no person shall remove soil or vegetation from, fill, dredge, build upon, discharge into, or alter the following Resource Areas:

- a. Freshwater wetlands;
- b. Bodies of water;
- c. Land under water;
- d. Banks;
- e. **Vernal Pools;**
- f. **Land within one hundred (100) feet of Freshwater Wetlands, Bodies of Water, Land Under Water, Banks, or Vernal Pools;**
- g. Riverfront Area;
- h. Land subject to flooding;
- i. **Isolated Wetlands 5,000 square feet or less in size that are within the 100-foot Resource Area of a wetland, stream, or within Riverfront Area.**

62-3 DEFINITIONS.

By adding after Body of Water, page 2., two new Definitions

Stream shall mean a body of running water, including rivers, brooks, creeks and seasonal watercourses, that moves in a channel or swale, with or without banks, over the ground due to a hydraulic gradient. A portion of a stream may flow through a culvert or subsurface drain or under a bridge. A stream may be natural or man-made, continuous or intermittent.

A perennial stream is one that normally flows year-round. There are various reasons for a perennial stream to have low flow, such as during times of drought, due to water withdrawals, as the result of beaver activity, and as the result of human activities such as dam construction or water diversion. Perennial streams in Topsfield include, but shall not be limited to, the following:

Ipswich River – Boxford town line to the Ipswich town line

School Brook - Howlett Street to the Ipswich River

Cleveland Brook – Gail Street to School Brook

Pye Brook – Boxford town line and Hood's Pond to Howlett Brook

Howlett Brook – Pye Brook to the Ipswich River

Mile Brook – Pye Brook to the Ipswich River

Fish Brook – Boxford town line to the Ipswich River

Nichols Brook – Danvers town line to the Ipswich River

Cow Pen Brook – Wetland behind Perkins Row to Mile Brook

Slough Brook – Washington Street to the Ipswich River

Hobbs Brook – Ipswich town line near East Street to Howlett Brook

Unnamed Stream – behind 10 Surrey Lane to Fish Brook

Wheel Brook – Salem Beverly Water Supply Board pond at Route 1 to the Danvers town line,”

or take any other action relative thereto.

Recommended that the Town vote to amend the Town Code, Chapter 62, the Wetlands General Bylaw, Sections 62-2 and 62-3 to read as described above.

This article would add vernal pools and isolated wetlands to the Jurisdiction section of the Bylaw. Vernal pools are an important wetland resource and need protection under the Bylaw. Isolated wetlands, if they are close to a bordering vegetated wetland, contribute greatly to that wetland because of their proximity and they should be included as part of the protected areas. The listing of the perennial streams in Topsfield would make the application process easier for residents and others filing with the Commission.

ADOPT EVENT LICENSE BYLAW

ARTICLE THIRTY-FOURTH: To see if the Town will vote to amend the Town Code, Topsfield General Bylaws by adding Chapter XXXI, the Topsfield Event License Bylaw, a copy of which is on file in the Board of Selectman’s office, or any other action relative thereto.

Recommendation pending further consideration.

The intent of this Bylaw is to grant the Board of Selectmen the licensing authority to regulate special events that take place in Topsfield. The Board will establish regulations for the purpose of implementing and administering the provisions of the Bylaw. These regulations will apply to all organizations holding the types of special events in Topsfield regulated under the provisions of this Bylaw.

GRANT BARE HILL ROAD DRIVEWAY EASEMENT

ARTICLE THIRTY-FIFTH: To see if the Town will vote to transfer the care, custody, management and control of a portion of the land described below owned by the Town located at 8 Haverhill Road and described in a deed recorded with the Essex South District Registry of Deeds at Book 1105, Page 85 or identified as Assessors Map 24, Lot 77 currently held by the Board of Park & Cemetery Commissioners for cemetery purposes to the Board of Park & Cemetery Commissioners for cemetery purposes and the purpose of granting a nonexclusive, perpetual drive way easement for the benefit of the property located at 26 Bare Hill Road (Essex South Registry of Deeds Book 23768, Page 596), and to authorize the Board of Park & Cemetery Commissioners to grant said easement upon such terms and conditions as it shall determine appropriate, or take any other action relative thereto

Recommended that the Town vote to transfer the care, custody, management and control of a portion of the land described below owned by the Town located at 8 Haverhill Road and described in a deed recorded with the Essex South District Registry of Deeds at Book 1105, Page 85 or identified as Assessors Map 24, Lot 77 currently held by the Board of Park & Cemetery Commissioners for cemetery purposes to the Board of Park & Cemetery Commissioners for cemetery purposes and the purpose of granting a nonexclusive, perpetual drive way easement for the

benefit of the property located at 26 Bare Hill Road (Essex South Registry of Deeds Book 23768, Page 596), and to authorize the Board of Park & Cemetery Commissioners to grant said easement upon such terms and conditions as it shall determine appropriate.

This article is a request by the property owners of 26 Bare Hill Road for a permanent easement from the Town for a portion of the existing driveway that is located on abutting Town cemetery property. The Board of Park & Cemetery Commissioners have approved the request for the easement, provided that the property owners place a conservation easement on the property located at 26 Bare Hill Road.

ESTABLISHMENT OF AGRICULTURAL COMMISSION

ARTICLE THIRTY-SIXTH: To see if the Town will vote to amend the Town Code, Chapter II, Administration, Article VII, by adding Section 2-21, the Agricultural Commission Bylaw as described below:

“2-21.1 Purpose: The mission of the Agricultural Commission, hereinafter “the Commission”, is to preserve, revitalize and sustain the Topsfield agricultural industry and to promote agricultural-based economic opportunities. The Commission once appointed shall develop a work plan to guide its activities. Such activities include, but are not limited, to the following: shall serve as facilitators for encouraging the pursuit of agriculture in Topsfield; shall promote agricultural-based economic opportunities in Town; shall act as advocates and educators on farming issues; shall work for preservation of prime agricultural lands; and shall pursue all initiatives appropriate to creating a sustainable agricultural community.

2-21.2 Membership: The Commission shall consist of five members, at least four of whom shall be Topsfield residents, appointed by the Board of Selectmen. The Commission shall consist of a minimum of two members whose primary or secondary source of income is derived from farming of agricultural-based enterprises in Topsfield and another three who are interested in farming. The Board of Selectmen shall appoint two alternates who may be full or part-time farmers or interested in farming. The members shall serve overlapping terms of three years. For the first Agricultural Commission, the Selectmen shall appoint two members for a term of three years, two members for a term of two years and one member for a term of one year. Thereafter, appointments shall be for three year terms. The Board of Selectmen shall fill a vacancy based on the un-expired term of the vacancy in order to maintain the cycle of appointments. The Board of Selectmen shall appoint the alternates for three year terms. The Commission may recommend appointees to fill vacancies,” or take any other action relative thereto.

Recommended that the Town vote to amend the Town Code, Chapter II, Administration, Article VII, by adding 2-21, referred to as the Agricultural Commission Bylaw as described above.

This article would establish an Agricultural Commission for the Town. The Department of Agriculture is encouraging communities to establish such Commissions. The Commission would not have statutory authority, but would provide a forum for farmers and citizens concerned with agriculture to organized educational programs and promote agricultural activities.

ADOPT RIGHT TO FARM BYLAW

ARTICLE THIRTY-SEVENTH: To see if the Town will vote to amend the Town Code, the Topsfield General Bylaws by adding Chapter XLVIII, the Right to Farm Bylaw as described below:

“48-1 Purpose and Intent: The Town of Topsfield recognizes and endorses the right to farm accorded to all citizens of the Commonwealth under Article 97, of the Constitution, and all state statutes and regulations hereunder including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9; Chapter 111, Section 125A and Chapter 128 Section 1A. Topsfield has a rich agricultural heritage continued by the current operation of farms that contribute to the character and economy of the Town. This Bylaw encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Topsfield by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This Bylaw shall apply to all jurisdictional areas within the Town.

The benefits and protections of this Bylaw are intended to apply exclusively to those commercial, agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Said benefits and protections do not extend to the non-commercial, personal and/or occasional accessory keeping of farm animals or agricultural activities.

48-2 Definitions: The word “farm” shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto. The words “farming” or “agriculture” or their derivatives shall include, but not be limited to the following:

- a. farming in all its branches and the cultivation and tillage of the soil;
- b. dairying;
- c. production, cultivation, growing, and harvesting of any agricultural, aqua cultural, floricultural, viticulture, or horticultural commodities;
- d. growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- e. raising of livestock including horses;
- f. keeping of horses as a commercial enterprise; and keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and came lids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals.

“Farming” shall encompass activities including, but not limited to, the following:

- a. operation and transportation of slow-moving farm equipment over roads within the Town;
- b. control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
- c. application of manure, fertilizers and pesticides;
- d. conducting agriculture-related educational and farm-based recreational activities, including agritourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- e. processing and packaging of the agricultural output of the farm and the operation of a farmer’s market or farm stand including signage thereto;
- f. maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
- g. on-farm relocation of earth and the clearing of ground for farming operations.

48-3 Right To Farm Declaration: The Right to Farm is hereby recognized to exist within the Town of Topsfield. The above-described agricultural activities may include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices.

48-4 Protections: The foregoing agricultural activities must conform with applicable federal and state laws and local bylaws, rules and regulations which regulate the lawful conduct of agricultural activities and specify the rights and obligations of the agricultural community, the Town, abutters, and the citizens of Topsfield. All applicable zoning, conservation, health, and animal inspection bylaws and rules and regulations take precedence over this Bylaw.

The provisions of this Bylaw shall not apply whenever an impact results from negligence or willful or reckless misconduct in the operation of any such agricultural or farming operation, place, establishment or facility, or any of its appurtenances,” or take any other action relative thereto.

Recommended that the Town vote to amend the Town Code, the Topsfield General Bylaws by adding Chapter XLVIII, the Right to Farm Bylaw as described above.

The Department of Agriculture is encouraging communities to adopt “Right to Farm” Bylaws in order to foster and protect farming, an important sector of the economy in the Commonwealth. This Bylaw simply restates the Massachusetts General Law relative to commercial agriculture in order to highlight the rights of farmers to farm. The purpose of this Bylaw is to foster positive relations between farmers and residents and among neighbors.

AMEND ZONING BYLAW, ARTICLE III, SECTION 3.15 ACCESSORY USES

ARTICLE THIRTY-EIGHTH: To see if the Town will vote to amend the Topsfield Zoning Bylaw, Article III, Use Regulations by deleting Section 3.15 Additional Accessory Uses in its entirety and inserting in place thereof a new Section 3.15 Accessory Uses (**in bold**) as follows:

By deleting “3.15 Additional Accessory Uses.

In addition to the uses permitted in Table of Use Regulationsⁱⁱ the following accessory uses shall be permitted in the Central Residential District, Business District Village, Business District Highway and Inner Residential and Agricultural District:

- A. Storage of one unregistered motor vehicle in the open.
- B. Storage of trailer, boat or motorized home in the open.
(Art. 23, 5-5-1981; Art. 14, 5-7-1985)

And substitute the following:

3.15 Accessory Uses.

A. Any use which is accessory to a principal use allowed by right shall be allowed only in connection with such allowed principal use on the same lot. Any use which is accessory to a principal use allowed by special permit, and which is not specifically included in the original special permit, shall be allowed only after issuance of a new special permit. Cessation of a principal use shall require cessation of any accessory use which is not otherwise allowed as a principal use. The Building Inspector shall be responsible for determining what uses are principal and what uses are accessory.

B. The following shall be limitations on certain specific accessory uses:

1. The keeping of farm and exotic animals in any building for non-commercial use is permitted as an accessory use in any district in accordance with the following conditions:

- a. The location of any structure for the keeping of animals shall be not less than fifty (50) feet from any street lot line, and not less than thirty (30) feet from any other lot line.**
- b. There must be adequate fencing to contain all farm animals at least twenty (20) feet from all property boundaries at all times, except when animals are being directly supervised by and under control of a person,” or take any other action relative thereto.**

Recommended that the Town vote to amend the Topsfield Zoning Bylaw, Article III, Use Regulations by deleting Section 3.15 Additional Accessory Uses in its entirety and inserting in place thereof a new Section 3.15 Accessory Uses as described above.

This amendment article would clarify the definition of an accessory use and its relationship to the principal use of a particular property. It states the method of determining an allowable accessory use by right or by special permit and when said accessory use would be terminated. The amendment would establish the set-back limit for structures used for the keeping of farm and exotic animals and the requirement for fencing to contain farm animals. The deleted section of the existing Bylaws is an unnecessary duplication of the Table of Uses.

AMEND TOPSFIELD ZONING BYLAW, ARTICLE IV, SECTION 4.08 MINIMUM BUILDABLE AREA

ARTICLE THIRTY-NINTH: To see if the Town will vote to amend the Topsfield Zoning Bylaw, Article IV, Section 4.08 Minimum Buildable Area, by deleting subsection B which provides:

“In computing the buildable area of any lot there shall not be included any part of a street, nor shall there be included any part of a pond, river, stream, or wetland in accordance with the Town of Topsfield Wetland’s General Bylaw. The authenticity of the Topsfield Wetland and Wildlife Resources Map shall be identified by the signature of the Town Clerk and the imprinted seal of the Town under the following words: “This is to certify that this is the Topsfield Wetland and Wildlife Resources Map referred to in Article IV of the Zoning Bylaw of the Town of Topsfield, Massachusetts which was approved by the Town Meeting on September 1974”. (Art. 23, 5-4-1982)

And inserting in place thereof, the following:

“Buildable area shall be comprised of acreage not including any part of a street or any part of any watercourse, water body, vernal pool, bank, and bordering or isolated vegetated wetland as defined by the Massachusetts Wetlands Protection Act Regulations 310 CMR 10.00, et. Seq., or the Topsfield Wetlands General Bylaw,” or take any other action relative thereto.

Recommended that the Town vote to amend the Topsfield Zoning Bylaw, Article IV, Section 4.08 Minimum Buildable Area by deleting subsection B and inserting in place thereof a new subsection B to read as described above.

This amendment deletes reference to an outdated map and defines what is excluded from buildable area in accordance with the Massachusetts Wetlands Protection Act Regulations and the Town’s Wetland’s General Bylaw.

AMEND TOPSFIELD ZONING BYLAW, ARTICLE IV, SECTION 4.02 TABLE OF DIMENSIONAL AND DENSITY REGULATIONS

ARTICLE FORTIETH: To see if the Town will vote to amend the Topsfield Zoning Bylaw, Article IV, Dimensional And Density Regulations as follows (**changes and additions in bold**), or take any other action relative thereto.

Table of Dimensional and Density Regulations

	Minimum Lot Area ¹ sq.ft	Minimum Lot Frontage ft.	Minimum Lot Depth ft.	Minimum Yards			Maximum Height ft.	Maximum Stories No.	Maximum Building Area %	Minimum Open Space ² %
				Front ft.	Side ft.	Rear ft.				
ORA	87,120	200	200	20	20	40	35	2 ½	15	50
IRA	40,000	150	150	20	15	40	35	2 ½	25	50
CR	20,000	100	120	20	10	30	35	2 ½	40	40
BV	20,000	100	100	40 10	30 10³	30 20³	35	2 ½	40	30
BH	40,000	200	175	75	40 ³	40 ³	35	2 2 ½	40	30
BP	87,500	350	250	75	50 ⁴	50 ⁴	45	3	25	25
EHD⁵	At least 10 acres	50		25			35	2 ½	50	50

1. Except for ORA uses permitted under Section 3.06.
2. See Article I, Definition for definition of Open Space.
3. Except where adjacent to residential use or district in which case the yard will increase to 50 feet.
4. Except where adjacent to residential use or district in which case the yard will increase to 100 feet.
5. See Article III, 3.16 for EHD standards.

Recommended that the Town vote to amend the Topsfield Zoning Bylaw, Article IV, Dimensional And Density Regulations as described above in amended Table.

This amendment makes changes to the Table of Dimensional and Density Regulations for the Business Village and the Business Highway districts, adds regulations for the Elderly Housing Overlay District and corrects the numbering of footnotes.

AMEND ZONING BYLAW, ARTICLE III, SECTION 3.02 TABLE OF USE REGULATIONS

ARTICLE FORTY-FIRST: To see if the Town will vote to amend the Topsfield Zoning Bylaw, Article III, Use Regulations, as follows (**changes in bold**), or take any other action relative thereto.

Permitted Uses	ORA	IRA	CR	BV	BH	BP
2.3 For Profit School	NP	NP	NP	S	S	NP S
2.14 Hospital	S	S	NP	NP	NP S	S
2.15 Nursing and Community Care Facilities	S	S	S	S	S	S
2.16 Conference and Event Facility	S	S	S	S	S	S
4.07 Optical Goods Store	NP	NP	NP	P	NP	NP S
4.08 Cosmetics, beauty supply and perfume store	NP	NP	NP	P	NP	NP S
4.09 Retail establishment selling hand-crafts	NP	NP	NP	P	NP	NP S
4.12 Restaurant	NP	NP	NP	S	NP	NP S
4.16 Bank (full service)	NP	NP	NP	P	S	NP S
4.17 Exterior Automatic Teller Machines	NP	NP	NP	S	S	NP S
4.18 Interior Automatic Teller Machines	NP	NP	NP	P	P	NP S
4.21 Professional, technical, scientific and business offices	NP	NP	NP	P	P	S
4.22 Other business repair services	NP	NP	NP	P	P	NP S
4.23 Art Gallery	NP	NP	NP	P	NP	NP S
4.25 Barber Shops	NP	NP	NP	P	NP	NP S
4.26 Beauty Salons	NP	NP	NP	P	NP	NP S
4.27 Skin and Nail Care Salons	NP	NP	NP	P	NP	NP S

Recommended that the Town vote to amend the Topsfield Zoning Bylaw, Article III, Use Regulations, as described in the amended Table above.

The Table of Uses in Article III of the Zoning Bylaw dictates what uses are permitted in the various zoning districts of the Town. This amendment would make revisions that are designed to increase economic activity in selected areas by adding two new uses that would be allowed by special permit in all zoning districts: Nursing and Community Care Facilities, and Conference and Event Facility. Both uses could be utilized on large properties that otherwise might be residentially developed, and both uses could provide important community services. In addition, the extension of certain uses to the Business Park is being proposed to stimulate economic development in an area that is already devoted to commercial uses.

AMEND ZONING BYLAW, ARTICLE 1 DEFINITIONS

ARTICLE FORTY-SECOND: To see if the Town will vote to amend the Topsfield Zoning Bylaw, Article I, Definitions as follows:

By adding a new definition “1.02 Affordable Housing: Dwelling units for families who qualify as with income at or below 80% of the median income as determined by the U.S. Department of Housing and Urban Development and the cost of the Affordable Housing Dwelling Unit shall not exceed thirty percent (30%) of their total income,”

And renumbering definitions 1.02-1.17 to 1.03-1.18,

By adding a new definition “1.19 Conference & Event Facility: A facility used by individuals and service, social or professional organizations and businesses for seminars, meetings and professional conferences and social events. The facility may include associated accommodations for food preparation and service, sleeping areas, recreation and athletic facilities, all of which are provided exclusively for the use of patrons of the conference facility,”

And renumbering 1.18-1.108 to 1.20-1.110

By deleting the text of the new 1.49 Hospital (formerly 1.47) which provided: “A building providing medical service including twenty-four hour in patient services for the diagnosis, treatment or other care of human ailments; a sanitarium; sanatorium; clinic; rest home; nursing home and convalescent home,”

And inserting in place thereof the following: “An institution certified by the Joint Commission on Accreditation of Hospitals as an accredited hospital providing health services for in-patient and/or out-patient medical or surgical care of the sick or injured and including related facilities such as, but not limited to, laboratories, out-patient departments, central staff facilities, and staff offices which are an integral part of the institution,” or take any other action relative thereto.

Recommended that the Town vote to amend the Topsfield Zoning Bylaw, Article I, Definitions as described above.

Article I, Definitions of the Topsfield Zoning Bylaw would define terms in the Table of Use Regulations and elsewhere in the Zoning Bylaw. This amendment would add two new definitions, Affordable Housing and Conference & Event Facility, and redefine the definition for Hospital. These revisions provide definitions for new terms in the Zoning Bylaw and update the definition of an existing one.

AMEND ZONING BYLAW, ARTICLE II, SECTION 2.04 BUSINESS VILLAGE

ARTICLE FORTY-THIRD: To see if the Town will amend the Topsfield Zoning Bylaw, Article II, Section 2.04 Business Village as follows: **(bold denotes new language to be added)**

“2.04 Business District Village.

The Business District Village shall comprise an area bounded by a line beginning at the intersection of Main Street and the center line of the railroad or railroad bed right of way where track has been removed, and following said line westerly to the Proctor School Playground; thence following the southern boundary of the Proctor School playground as far as to Main Street, and crossing Main Street; and following the southern boundary of the Town Library grounds to the brook; following the brook southwesterly until it intersects a parallel to Main Street 250 feet to the southeast thereof, following this parallel across Central Street and Park Street to South Main Street; then following South Main Street north to the center line of the railroad, the point of beginning. **The District shall also include Lots 9, 10, and 71 on the Topsfield Assessors’ Map 40,**” or take any other action relative thereto

Recommended that the Town vote to amend the Topsfield Zoning Bylaw, Article II, Section 2.04 Business Village as described above.

This amendment to the Zoning Bylaw would add three lots, already non-conforming in the residential area in which they are located, to the Business Village.

ADOPT STORM WATER AND EROSION CONTROL GENERAL BYLAW

ARTICLE FORTY-FOURTH: To see if the Town will vote to amend the Town Code, the Topsfield General Bylaws by adding Chapter LI, the Storm Water and Erosion Control General Bylaw; a copy of which is on file in the Board of Selectmen's office, or take any other action relative thereto.

Recommendation pending further consideration.

This General ByLaw would accomplish three important goals. It would satisfy two of the required ordinances of the Federal Phase II Storm Water Management Plan. It would integrate into a single permitting process the multiple reviews currently required by permitting authorities. It would establish storm water management and erosion control permitting for development currently omitted in Town regulations.

ADOPT SCENIC OVERLAY ZONE

ARTICLE FORTY-FIFTH: To see if the Town will vote to amend the Topsfield Zoning Bylaw by adding a new Article XIV, the Scenic Overlay Zone as follows:

"14.1 Purpose

The purpose of the Scenic Overlay Zone is to preserve the landscape of Topsfield and maintain the scenic and rural character of the southern entryway to the Town.

14.2 Description of District

The Scenic Overlay Zone is delineated by the Ipswich River on the north, by the town line of the Town of Topsfield on the south and by boundary lines running parallel to Route 1 located 1000 feet from the centerline of Route 1 on the east and west. The Scenic Overlay Zone is shown on the Official Zoning Maps of the Town of Topsfield and is identified by the abbreviation SOZ.

14.3 Scope of Authority

The Scenic Overlay Zone is an overlay district superimposed on the Town of Topsfield's zoning districts. This overlay district shall apply to all new construction, reconstruction or expansion of existing buildings and to new or expanded uses of a property located within the Scenic Overlay zone, except for single-family building additions.

14.4 Uses in the Scenic Overlay Zone

Uses within the Scenic Overlay Zone shall be limited to those permitted in the underlying ORA zoning district. Uses that are prohibited in the underlying zoning district are not permitted in the Scenic Overlay Zone. Uses that are permitted in the underlying ORA District are defined in Article III, 3.02 and 3.04 Table of Use Regulations of the Topsfield Zoning Bylaw and elsewhere in the Topsfield Zoning Bylaws.

14.5 Development Standards

- A. Projects located within the Scenic Overlay Zone shall be designed to preserve and complement the visual context of the natural area. The purpose of this Bylaw is accomplished by locating development so as to lessen its visual impact, preserving open space, preserving existing trees, providing additional landscaping, and screening of mechanical equipment, accessory facilities and parking facilities.
- B. All use of lots subject to this chapter shall conform to the following:
 - 1. Minimum Setback – The setback of buildings on lots with frontage on Route 1 shall at a minimum be 100'.

2. Site Mitigation – Any damage, loss or disturbance to the natural vegetation and grading that result from construction activity shall be mitigated by restoration of disturbed areas within the 100 foot minimum setback from Route 1 to its original state.
3. All parking shall be screened from Route 1.
4. All garbage collection areas, dumpsters and mechanical equipment must be screened from view.
5. All healthy trees over twelve inches in diameter that are within the setback area shall be retained unless they are located within a new utility easement, roadway, or Town-required construction easement.
6. If the façade of the building is visible from Route 1, two rows of trees, one deciduous and one evergreen, shall be planted along the length of the building so as to screen the building.

Upon application, the granting authority, as defined in Section 9.05, and acting pursuant to its authority and in accordance with the site plan review procedure set forth in that section, may allow for new grading and screening other than that required by condition B.2, or allow trees to be cut as otherwise prohibited by B.6, above, but only upon the applicant's demonstration that it is impractical or impossible to satisfy such conditions, and then only to the extent that such allowances satisfy the intent of this Article, as set forth in Section 14.4, above.

C. The use of lots subject to this Article that are also subject to site plan review shall satisfy the following standards in addition to those set forth in Section 9.07:

1. All construction shall be located to the extent possible behind natural elevations and vegetated areas of the property so that it is not visible from Route 1.
2. To the extent that it is feasible, development shall be integrated into the existing landscape through the use of building placement, landform treatment and visually compatible existing or new screening. All site improvement shall be laid out and constructed to minimize environmental and other impacts on protected resources.
3. All efforts shall be made to preserve the natural grading, vegetation, and any other unique features of the property.
4. Projects located within the Scenic Overlay District shall be designed to complement the visual content of the natural area. Architectural, site and landscape design techniques shall be used to protect the natural scenic views across, through, or to the site.

D. The use of lots subject to this Article that also require a special permit shall satisfy the standards set forth in Section C above, as part of the Conditions and Safeguards applicable to special permit uses pursuant to Section 5.04.B.

15.6 Severability

All the clauses of this Bylaw are distinct and severable, and if any clause shall be deemed illegal, void, or unenforceable, it shall not affect the validity, legality, or enforceability of any other clause or portion of this Bylaw," or any other action relative thereto.

Recommended that the Town vote to amend the Topsfield Zoning Bylaw by adding a new Article XV, the Scenic Overlay Zone as described above.

The Route 1 corridor south of the Ipswich River is one of the last undisturbed and scenic sections of Old Route 1. This Bylaw article would establish a Scenic Overlay Zone for the Route 1 corridor and design guidelines for the location of buildings and for the screening of structures. These guidelines would be applied in the course of site plan review or the subdivision control process involving new development in this area.

AMEND ZONING BYLAW, ARTICLE X, PHASED GROWTH

ARTICLE FORTY-SIXTH: To see if the Town will vote to amend the Topsfield Zoning Bylaw, Article X, Phased Growth, by deleting Article X in its entirety and substituting a new Article X, Phased Growth; a copy of which is on file in the Board of Selectmen's office, or take any other action relative thereto.

Recommendation pending further consideration.

This article would control the rate of development so that new growth would proceed in orderly and efficient fashion. Phasing in new residential development would allow the Town to plan for and provide infrastructure to accommodate new demands.

AMEND ZONING BYLAW, ARTICLE III, SECTION 3.16 ELDERLY HOUSING DISTRICT

ARTICLE FORTY-SEVENTH: To see if the Town will vote to amend the Topsfield Zoning Bylaw, Article III, Section 3.16, Elderly Housing District; a copy of which is on file in the Board of Selectmen's office, or take any other action relative thereto.

Recommended that no action be taken.

Topsfield's current Elderly Housing Bylaw does not require the inclusion of affordable housing. This article would require developers of Elderly Housing Districts to include affordable housing units in new Elderly Housing Districts or to provide contributions to the Town in lieu of such affordable housing units so that the Town could develop or promote the development of affordable housing.

ACCEPTANCE OF M.G.L. CHAPTER 44, SECTION 55C, AFFORDABLE HOUSING TRUST FUND AND ESTABLISHMENT OF AFFORDABLE HOUSING TRUST FUND BYLAW

ARTICLE FORTY-EIGHTH: To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 55C establishing a trust to be known as the Topsfield Affordable Housing Trust Fund whose purpose shall be to provide for the creation and preservation of affordable housing in the Town for the benefit of low and moderate income households, and in implementation thereof will vote to amend the General Bylaws of the Town by adding the following as Chapter XX, Affordable Housing Trust Fund Bylaw:

"20-1 There shall be a board of trustees of the Topsfield Affordable Housing Trust Fund established by the vote under Article Forty-Eighth of the Warrant for the 2005 Annual Town Meeting, in this section called the Board, which shall include five trustees, including at least one of the members of the Board of Selectmen, with the remaining members to be appointed by the Board of Selectmen. Trustees shall serve for a term not to exceed two years. A quorum of the Board of Trustees shall be three members except when voting to appropriate funds and in that instance the minimum necessary members present shall be four.

20-2 The powers of the Board shall be carried on in furtherance of the purposes set forth in Massachusetts General Laws Chapter 44, Section 55C," or take any other action relative thereto.

Recommended that no action be taken.

This article would establish a trust to be known as the Topsfield Affordable Housing Trust Fund that will be the mechanism for the Town to receive funds, plan affordable housing and spend monies to create affordable housing in Topsfield. The article also would establish a Board of Trustees for the affordable housing trust fund, sets its membership and terms of office.

AMEND ZONING BYLAW, ARTICLE II, SECTION 2.10 ELDERLY HOUSING DISTRICT

ARTICLE FORTY-NINTH: To see if the Town will amend the Topsfield Zoning Bylaw, Article II, Section 2.10 Elderly Housing by deleting the current title and replacing it with, "Elderly Housing District – Great Hill", and to further amend the Topsfield Zoning Bylaw, Article II, by inserting a new section, Section 2.11, entitled "Elderly Housing District – 120 High Street" containing 40.602 acres, more or less and being a portion of Tax Map 46, Lot 56, a legal description of which is on file in the Board of Selectmen's office, or take any other action relative thereto.

Recommended that no action be taken.

This article would incorporate into the Town's Zoning Bylaw a new elderly housing overlay district that is proposed for a portion of the property known as 120 High Street.

STABILIZATION FUND

ARTICLE FIFTIETH: To see if the Town will vote to raise and assess or transfer from available funds and appropriate a sum of money for the Stabilization Fund.

Recommended that no action be taken.

FREE CASH

ARTICLE FIFTY-FIRST: To see if the Town will vote to authorize and direct the Board of Assessors to transfer and appropriate a sum of money from Free Cash to reduce the tax levy for the fiscal year 2006.

Recommended that the Town vote to authorize and direct the Board of Assessors to transfer and appropriate the sum of \$422,121 from Free Cash to reduce the tax levy for the fiscal year 2006.

And you are also directed to notify said inhabitants, qualified to vote in the election of Town Officers, to meet at the St. Rose Church Hall, 12 Park Street, the fifth day of May, 2005, at seven o'clock in the morning to bring in their votes on one ballot for the following offices:

ONE Moderator	(1 year)
ONE Selectman	(3 years)
ONE Assessor	(3 years)
ONE Constable	(3 years)
TWO Regional District School Committee	(3 years)
TWO School Committee	(3 years)
ONE Park & Cemetery Commissioner	(3 years)
TWO Planning Board	(3 years)
ONE Road Commissioner	(3 years)
ONE Commissioner of Trust Funds	(3 years)
ONE Water Commissioner	(3 years)
TWO Trustees of Town Library	(3 years)
ONE Trustees of Town Library	(1 year)
ONE Housing Authority	(5 years)

PROPOSITION 2 1/2 REFERENDUM BALLOT QUESTIONS

QUESTION ONE: Shall the Town of Topsfield be allowed to assess an additional \$196,362 in real estate and personal property taxes for the purposes of funding the general operating budget for general government purposes, for the elementary schools, and the Town's assessment for the Masconomet Regional School District for the fiscal year beginning July first two thousand and five?

QUESTION TWO: Shall the Town of Topsfield be allowed to assess an additional \$187,754 in real estate and personal property taxes for the purposes of funding the following expenses: professional engineering services for the reconstruction design of the Asbury Street Bridge and the Rowley Bridge Street Bridge (\$50,000); lease to purchase agreement for the

procurement and equipping of a multi-purpose tractor (\$33,754); the purchasing and equipping of a one ton four wheel drive dump truck with plow and rack bed (\$22,500); the purchasing and equipping a vehicle to be used as a police cruiser (\$31,500); the refurbishing of the 1994 Duplex Lucerne Fire Apparatus, know as Engine 3 (\$50,000) for the fiscal year beginning July first two thousand and five?

QUESTION THREE: Shall the Town of Topsfield be allowed to assess an additional \$160,000 in real estate and personal property taxes for the purpose of funding the final design for the renovations and expansion of the Town Hall for the fiscal year beginning July first two thousand and five?

QUESTION FOUR: Shall the Town of Topsfield be allowed to assess an additional \$108,589 in real estate and personal property taxes for the purpose of a 24 hour, seven (7) days per week operational staff expansion of the Fire Department by hiring four (4) additional full time fire fighters for the fiscal year beginning July first two thousand and five?

QUESTION FIVE: Shall the Town of Topsfield be allowed to assess an additional \$170,816 in real estate and personal property taxes for the purpose of funding the purchasing and equipping of two vehicles to be used as ambulances for the fiscal year beginning July first two thousand and five?

BINDING REFERENDUM BALLOT QUESTIONS

QUESTION SIX: Shall the Town of Topsfield accept sections 3 to 7 inclusive, of Chapter 44B of the General Laws, as approved by its legislative body, a summary of which appears below?

Sections 3 to 7 of Chapter 44B of the General Laws of Massachusetts, also known as the Community Preservation Act ("Act"), establishes a dedicated funding source to acquire, create and preserve open space, land for recreational use, and community housing, to acquire, preserve, rehabilitate and restore historic resources, and to rehabilitate and restore such open space, land for recreational use and community housing acquired or created as provided under said Act. In Topsfield, the Act will be funded by an additional surcharge of three percent on the annual tax levy on real property and by matching funds provided by the state. The following exemption(s) from such surcharge, permitted under Section 3(e) of said Act, will apply: (1) property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the town; and (2) \$100,000 of the value of each table parcel of residential real property. The surcharge to be paid by a taxpayer receiving an abatement of real property authorized by Chapter 59 or any other law will be reduced in proportion to such abatement. A Community Preservation Committee must be created pursuant to bylaw and will make recommendations on the use of the funds. Town Meeting must approve any such recommendation before funds can be expended to acquire any particular parcel of land. All expenditures pursuant to the Act will be subject to an annual audit.

NON-BINDING REFERENDUM BALLOT QUESTIONS

QUESTION SEVEN: "Shall the Town vote to petition the General Court to enact special legislation as set forth in Article Second of the March 1, 2005 Special Town Meeting authorizing the expansion of the Board of Selectmen from three to five members?"

QUESTION EIGHT: "Shall the Town vote to petition the General Court to enact special legislation as set forth in Article Fifth of the March 1, 2005 Special Town Meeting authorizing the establishment of a Department of Public Works?"

PETITION NON-BINDING REFERENDUM BALLOT QUESTIONS


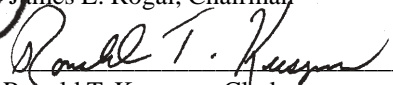
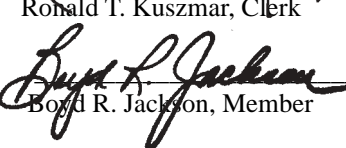
QUESTION NINTH: To see if the Town will vote to give the land known as the Old Highway Garage Site on School Street to the Council on Aging for the purpose of constructing a senior center for the Town. The senior center will be built with grants and donations from individuals and companies. There will be no town monies used for construction. If after two years of fund-raising, enough money has not been raised to build the center the land will revert back to the town.

The polls shall be open from **7:00 AM UNTIL 8:00 PM**, and you are directed to serve this Warrant by posting attested copies thereof, one at the Post Office, one at the Town Hall, and one at each of the Public Meeting Houses in said Town, seven days at least before time for holding said meeting.


Hereof fail not, and make due return of this Warrant, with your doing thereon, to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this twelfth day of April in the year two thousand and five.

Selectmen
Of
Topsfield


James L. Rogal, Chairman

Ronald T. Kuszmar, Clerk

Boyd R. Jackson, Member

A true copy ATTEST:



Frederick J. Glatz, *Town Constable*

RECOMMENDATIONS AS VOTED BY THE TOPSFIELD FINANCE COMMITTEE:

Robert L. Winship, *Chairman*
Heidi L. Bond
A. Richard Gandt
Mark A. Manning
Trudi I. Perry
Joel L. Uchenick
Dana E. Warren, Jr.

**WARRANT FOR THE 2005 SPECIAL TOWN MEETING
AND FINANCE COMMITTEE RECOMMENDATIONS FOR FISCAL YEAR 2005**

PLEASE NOTE: This report represents recommendations as of April 12, 2005. The position of the Finance Committee on various warrant articles is subject to change based upon further input.

Essex, ss

To the Constable of the Town of Topsfield, in said County.

In the name of the Commonwealth of Massachusetts, you are directed to notify the inhabitants of the Town of Topsfield, qualified to vote in elections and in Town affairs, to meet at the

**PROCTOR SCHOOL
WOODBURY AUDITORIUM**

in said Topsfield, on Tuesday, the third day of May, 2005, at thirty minutes after seven o'clock in the afternoon (7:30 PM), then and there to act on the following articles:

REPORTS

ARTICLE FIRST: To hear all reports that may legally come before the meeting.

PRIOR YEAR BILLS

ARTICLE SECOND: To see if the Town will vote to transfer from available funds and appropriate a sum of money to pay outstanding bills contracted prior to July 1, 2004.

Recommendation pending further review.

TRANSFER OF FUNDS

ARTICLE THIRD: To see if the Town will vote to transfer from the unexpended balance of certain accounts, and/or from available funds, and appropriate said funds to certain other accounts to pay certain expenses for the 2005 fiscal year, or take any other action relative thereto.

Recommendation pending further review.

MASSACHUSETTS HIGHWAY AGREEMENT

ARTICLE FOURTH: To see if the Town will vote to transfer from available funds and appropriate a sum of money to be used for highway improvements in accordance with the Agreement # 4501 35600 dated October 7, 2004 between the Town of Topsfield and the Commonwealth of Massachusetts, Massachusetts Highway Department, or take any other action relative thereto.

Recommended that the Town vote to transfer from funds made available by the Commonwealth of Massachusetts Agreement #4501 35600 dated October 7, 2004 between the Town of Topsfield and the Commonwealth of Massa-

chusetts, Massachusetts Highway Department, and appropriate the sum of \$138,574 to be used for highway improvements as provided under Chapter 90, Massachusetts General Laws.

This article provides the mechanism to meet the statutory requirement that town meeting approves the transfer and appropriation of Chapter 90 Highway Funds to be used for highway improvement in the ensuing year.

TOWN HALL COMPUTER SYSTEM UPGRADE

ARTICLE FIFTH: To see if the Town will vote to transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen with the advice of the Computer Technology Committee, for the installation of a new server for the MUNIS financial programs, related network improvements, and associated training of personnel, or take any other action relative thereto.

Recommended that the Town will vote to transfer from Free Cash, and appropriate the sum of \$12,600 to be expended by the Board of Selectmen with the advice of the Computer Technology Committee for the installation of a new server for the MUNIS financial programs, related network improvements, and associated training of personnel.

This article would appropriate funds to upgrade the Town Hall Computer System for the financial offices. A new server to host the MUNIS financial programs is required due to the age and condition of the present server as well as the need for a hardware upgrade in order to convert to the latest updated version of the MUNIS financial software.

CONTRACT FOR TRIENNIAL RE-CERTIFICATION UPDATE

ARTICLE SIXTH: To see if the Town will vote to transfer from available funds, and appropriate a sum of money to be expended by the Board of Selectmen, with the advice of the Board of Assessors to contract for the state required re-certification update of real property values for commercial and industrial real estate, or take any other action relative thereto.

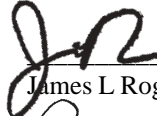
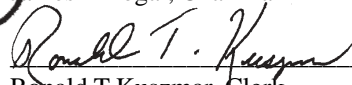
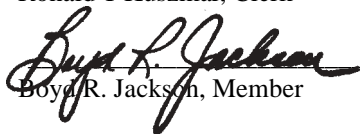
Recommended that the Town vote to appropriate the sum of \$21,000 to be expended by the Board of Selectmen, with the advice of the Board of Assessors to contract for the state required re-certification update of real property values for commercial and industrial real estate; and to meet said appropriation to transfer the sum of \$15,900 from Free Cash and the sum of \$5,100 from Article Fifteen of the 1999 Annual Town Meeting.

This article provides funding for the update of all commercial and industrial real property valuations as part of the state mandated triennial certification process.

Hereof, fail not, and make due return of the Warrant, with your doing thereon, to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this twelfth day of April in the year two thousand and five.

Selectmen
Of
Topsfield


James L. Rogal, Chairman

Ronald T. Kuszmar, Clerk

Boyd R. Jackson, Member

A true copy ATTEST:


Frederick J. Glatz, Town Constable

RECOMMENDATIONS AS VOTED BY THE TOPSFIELD FINANCE COMMITTEE:

Robert L. Winship, *Chairman*
Heidi L. Bond
A. Richard Gandt
Mark A. Manning
Trudi I. Perry
Joel L. Uchenick
Dana E. Warren, Jr.

ATTACHMENT A

Approved
Appropriation
2004-2005

FY2006 GENERAL OPERATING BUDGET

Recommended
Appropriation
2005-2006

ELECTED OFFICERS

50.00	MODERATOR:	50.00
	SELECTMEN:	
1,500.00	Chairman	1,500.00
1,500.00	Clerk	1,500.00
1,500.00	Member	1,500.00
	ASSESSORS:	
1,500.00	Chairman	1,500.00
1,500.00	Clerk	1,500.00
1,500.00	Member	1,500.00
49,707.00	TOWN CLERK:	51,835.00
	PLANNING BOARD:	
200.00	Chairman	200.00
250.00	Clerk	250.00
50.00	Member	50.00
50.00	Member	50.00
50.00	Member	50.00

GENERAL GOVERNMENT

50.00	Moderator:	
	Salary	50.00
50.00	TOTAL: Moderator	50.00
	Selectmen:	
70,054.00	Salaries	72,292.00
67,290.00	Wages	70,127.00
33,273.00	Other	34,414.00
170,617.00	TOTAL: Selectmen	176,833.00
	Selectmen's Special:	
69,200.00	Other	73,200.00
69,200.00	TOTAL: Selectmen Special	73,200.00
	Parking Clerk:	
175.00	Other	125.00
175.00	TOTAL: Parking Clerk	125.00
	Finance Committee:	
2,000.00	Wages	2,000.00
1,850.00	Other	1,850.00
3,850.00	TOTAL: Finance Committee	3,850.00

	Town Website/Cable Advisory:	
920.00	Wages	5,400.00
3,500.00	Other	3,500.00
4,420.00	Total: Town Website/Cable Advisory	8,900.00
	Cable Advisory:	
1,780.00	Wages	-
1,780.00	Total: Cable Advisory	-
	Town Accountant:	
56,190.00	Salaries	58,215.00
31,677.00	Wages	30,409.00
17,980.00	Other	21,555.00
105,847.00	TOTAL: Town Accountant	110,179.00
	Board of Assessors	
60,690.00	Salaries	62,965.00
31,677.00	Wages	33,227.00
14,900.00	Other	16,300.00
107,267.00	TOTAL: Assessors	112,492.00
	Town Treasurer and Collector:	
52,964.00	Salaries	55,791.00
63,354.00	Wages	65,005.00
27,965.00	Other	28,675.00
144,283.00	TOTAL: Town Treasurer & Coll.	149,471.00
	Town Hall:	
30,441.00	Wages	32,221.00
67,518.00	Other	74,590.00
97,959.00	TOTAL: Town Hall	106,811.00
	School Street Building	
800.00	Other	820.00
800.00	TOTAL: School Street Building	820.00
	Personnel Board:	
300.00	Other	300.00
300.00	TOTAL: Personnel Board	300.00
	Town Clerk:	
49,707.00	Salary	51,835.00
26,087.00	Wages	27,145.00
17,549.00	Other	14,005.00
93,343.00	TOTAL: Town Clerk	92,985.00
	Trust Fund Clerk:	
1,000.00	Salary	1,000.00
100.00	Other	100.00
1,100.00	TOTAL: Trust Fund Clerk	1,100.00
	Conservation Commission:	
37,088.00	Salary	37,929.00
37,088.00	TOTAL: Conservation Commission	37,929.00

600.00	Planning Board:	
4,072.00	Salaries	600.00
1,958.00	Wages	29,340.00
6,630.00	Other	1,958.00
	TOTAL: Planning Board	31,898.00
	Zoning Board of Appeals:	
745.00	Wages	745.00
1,100.00	Other	1,100.00
1,845.00	TOTAL: Zoning Board of Appeals	1,845.00
846,554.00	SUB-TOTAL: GENERAL GOVERNMENT	908,788.00
PUBLIC SAFETY		
	Police Department:	
133,862.00	Salaries	141,754.00
817,091.00	Wages	889,546.00
98,303.00	Other	102,330.00
1,049,256.00	TOTAL: Police Department	1,133,630.00
	Fire Department:	
89,364.00	Salaries	89,364.00
310,566.00	Wages	392,698.00
79,305.00	Other	82,410.00
479,235.00	TOTAL: Fire Department	564,472.00
	Ambulance Services:	
45,200.00	Other	47,500.00
45,200.00	TOTAL: Ambulance Service	47,500.00
	Inspectional Services:	
59,520.00	Salaries	62,164.00
16,376.00	Wages	17,785.00
4,789.00	Other	5,114.00
80,685.00	TOTAL: Inspectional Services	85,063.00
	Sealer Weights & Measure	
1,500.00	Salary	1,500.00
100.00	Other	100.00
1,600.00	TOTAL: Sealers Weights & Measure	1,600.00
	Animal Control Officer:	
8,500.00	Salary	8,500.00
1,600.00	Other	1,600.00
10,100.00	TOTAL: Animal Control Officer	10,100.00
	Animal Inspector:	
6,180.00	Salary	6,365.00
1,340.00	Other	1,840.00
7,520.00	TOTAL: Animal Inspector	8,205.00
1,673,596.00	SUB-TOTAL: PUBLIC SAFETY	1,850,570.00

EDUCATION ELEMENTARY SCHOOL

408,576.00	General Administration	462,153.00
2,555,198.00	Instructional Salaries	2,683,422.00
90,974.00	Instructional Materials	191,959.00
116,459.00	Other School Services	125,367.00
161,505.00	Transportation Regular	186,303.00
156,815.00	Fuel & Power	200,195.00
397,920.00	Bldg. Oper. & Main.	373,926.00
1,404,716.00	Special Needs	1,251,953.00
5,292,163.00	TOTAL: Elementary Schools	5,475,278.00
5,292,163.00	SUB-TOTAL - ELEMENTARY SCHOOLS	5,475,278.00

PUBLIC WORKS AND FACILITIES

	General Highway:	
65,554.00	Salary	67,792.00
168,818.00	Wages	174,100.00
126,647.00	Other	203,695.00
361,019.00	TOTAL: General Highway	445,587.00
	Snow and Ice:	
64,382.00	Wages	65,718.00
102,605.00	Other	105,105.00
166,987.00	TOTAL: Snow and Ice	170,823.00
	Street Lights	
16,000.00	Other	16,800.00
16,000.00	TOTAL: Street Lights	16,800.00
544,006.00	SUB-TOTAL: PUBLIC WORKS	633,210.00

HUMAN SERVICES

	Board of Health:	
51,280.00	Salary	54,414.00
2,800.00	Wages	4,500.00
14,470.00	Other	14,440.00
68,550.00	TOTAL: Board of Health	73,354.00
	MSW Collection, HHW & Recycling	
324,210.00	Services	330,544.00
324,210.00	TOTAL: MSW Collection, HHW & Recycling	330,544.00
	Recycling:	
7,250.00	Other	7,250.00
7,250.00	TOTAL: Recycling	7,250.00

	Council On Aging:	
37,088.00	Salary	38,417.00
36,151.00	Wages	37,931.00
3,140.00	Other	3,275.00
76,379.00	TOTAL: Council On Aging	79,623.00
	Tri Town Council:	
19,468.00	Services	19,955.00
19,468.00	TOTAL: Tri-Town Council	19,955.00
	HAWC:	
1,000.00	Other	1,000.00
1,000.00	TOTAL: HAWC	1,000.00
	Veterans' Benefits:	
1,600.00	Other	1,600.00
1,600.00	TOTAL: Veterans' Benefits	1,600.00
	Soldiers & Sailors Graves:	
750.00	Other	750.00
750.00	TOTAL: Soldiers & Sailors Graves	750.00
499,207.00	SUB-TOTAL: HUMAN SERVICES	514,076.00

CULTURE & RECREATION

	Library:	
153,659.00	Salaries	163,168.00
130,130.00	Wages	134,008.00
97,479.00	Other	107,398.00
381,268.00	TOTAL: Library	404,574.00
	Park and Cemetery Department:	
56,190.00	Salary	57,465.00
124,824.00	Wages	128,934.00
54,784.00	Other	56,204.00
235,798.00	TOTAL: Park & Cemetery Dept.	242,603.00
	Tree Department:	
2,654.00	Salary	2,714.00
2,795.00	Wages	2,860.00
8,450.00	Other	8,650.00
13,899.00	TOTAL: Tree Department	14,224.00
	Memorial Day/Veteran's Day:	
2,000.00	Other	3,400.00
2,000.00	TOTAL: Memorial Day/Veteran's Day	3,400.00
	Historical Commission:	
500.00	Other	500.00
500.00	TOTAL: Historical Commission	500.00
633,465.00	SUB TOTAL: CULTURE & RECREATION	665,301.00

DEBT SERVICE

489,500.00	Long-Term Debt Principal	509,500.00
572,947.00	Long -Term Debt Interest	554,168.00
10,000.00	Interest for Temporary Loans	10,000.00
5,600.00	Issue Cost	5,600.00
1,078,047.00	TOTAL: DEBT SERVICE	1,079,268.00
1,078,047.00	SUB TOTAL: DEBT SERVICE	1,079,268.00

OTHER EXPENDITURES

	Pensions:	
420,927.00	Essex Retirement	473,082.00
420,927.00	TOTAL: Pensions	473,082.00
	Insurance:	
183,751.00	Liability/Accident/Workmen's Compensation	198,542.00
882,003.00	Life/Medical/Medicare	1,040,017.00
20,000.00	Unemployment	25,000.00
1,085,754.00	TOTAL: Insurance	1,263,559.00
1,506,681.00	SUB-TOTAL OTHER EXPENDITURES	1,736,641.00
12,073,719.00	TOTAL BUDGET RECOMMENDATION	12,863,132.00

Attachment B: 2006 Salary and Wage Pay Level Grids

Pay levels - Effective 7/1/05

40 Hrs per week - Salaried Positions								1.5% adjustment	
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
S-3	\$ 25,469.41	\$ 26,493.30	\$ 27,553.04	\$ 28,930.68	\$ 30,901.36	\$ 31,828.39	\$ 32,783.25	\$ 33,766.75	\$ 34,779.77
S-4	\$ 30,378.42	\$ 31,599.67	\$ 32,814.75	\$ 34,455.49	\$ 36,857.37	\$ 37,963.08	\$ 39,101.97	\$ 40,275.05	\$ 41,483.30
S-5	\$ 36,293.94	\$ 37,753.00	\$ 39,204.71	\$ 41,164.93	\$ 44,034.54	\$ 45,355.56	\$ 46,716.25	\$ 48,117.73	\$ 49,530.87
S-6	\$ 41,764.95	\$ 43,443.95	\$ 45,114.47	\$ 47,370.17	\$ 50,672.34	\$ 52,192.51	\$ 53,758.29	\$ 55,371.02	\$ 57,032.16
S-7	\$ 48,725.11	\$ 50,683.91	\$ 52,584.60	\$ 55,264.48	\$ 59,116.92	\$ 60,789.14	\$ 62,717.14	\$ 64,598.66	\$ 66,536.62
S-8	\$ 55,691.28	\$ 57,930.13	\$ 60,157.68	\$ 63,165.55	\$ 67,568.70	\$ 69,595.87	\$ 71,683.75	\$ 73,834.25	\$ 76,049.27
S-9	\$ 56,954.65	\$ 59,244.29	\$ 61,522.38	\$ 64,598.49	\$ 69,101.64	\$ 71,174.68	\$ 73,309.94	\$ 75,509.22	\$ 77,774.50

37.5 Hrs per week - Salaried Positions								1.5%	
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
S-3	\$ 23,941.24	\$ 24,903.69	\$ 25,899.85	\$ 27,194.83	\$ 29,047.28	\$ 29,918.69	\$ 30,816.25	\$ 31,740.75	\$ 32,692.99
S-4	\$ 28,555.72	\$ 29,703.69	\$ 30,845.87	\$ 32,388.16	\$ 34,645.93	\$ 35,685.30	\$ 36,755.85	\$ 37,858.55	\$ 38,994.30
S-5	\$ 34,116.31	\$ 35,487.82	\$ 36,852.43	\$ 38,695.03	\$ 41,392.46	\$ 42,634.23	\$ 43,913.27	\$ 45,230.66	\$ 46,559.02
S-6	\$ 39,259.04	\$ 40,837.31	\$ 42,407.60	\$ 44,527.97	\$ 47,632.00	\$ 49,060.96	\$ 50,532.79	\$ 52,048.76	\$ 53,610.23
S-7	\$ 45,801.60	\$ 47,642.88	\$ 49,429.53	\$ 51,948.60	\$ 55,569.90	\$ 57,141.79	\$ 58,954.11	\$ 60,722.74	\$ 62,544.42
S-8	\$ 52,349.81	\$ 54,454.32	\$ 56,548.22	\$ 59,375.62	\$ 63,514.58	\$ 65,420.12	\$ 67,382.72	\$ 69,404.20	\$ 71,486.32
S-9	\$ 53,537.37	\$ 55,689.64	\$ 57,831.04	\$ 60,722.58	\$ 64,955.53	\$ 66,904.20	\$ 68,911.33	\$ 70,978.67	\$ 73,108.02

30 Hrs per week - Salaried Positions								1.5%	
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
S-3	\$ 19,356.75	\$ 20,134.90	\$ 20,940.30	\$ 21,987.32	\$ 23,485.03	\$ 24,189.58	\$ 24,915.28	\$ 25,662.73	\$ 26,432.62
S-4	\$ 23,087.61	\$ 24,015.74	\$ 24,939.21	\$ 26,186.18	\$ 28,011.60	\$ 28,851.94	\$ 29,717.49	\$ 30,609.04	\$ 31,527.31
S-5	\$ 27,583.40	\$ 28,692.27	\$ 29,795.58	\$ 31,285.35	\$ 33,466.25	\$ 34,470.23	\$ 35,504.34	\$ 36,569.48	\$ 37,643.46
S-6	\$ 31,741.35	\$ 33,017.40	\$ 34,286.99	\$ 36,001.33	\$ 38,510.98	\$ 39,666.31	\$ 40,856.30	\$ 42,081.98	\$ 43,344.44
S-7	\$ 37,031.09	\$ 38,519.78	\$ 39,964.30	\$ 42,001.00	\$ 44,928.85	\$ 46,199.74	\$ 47,665.03	\$ 49,094.98	\$ 50,567.83
S-8	\$ 42,325.38	\$ 44,026.90	\$ 45,719.84	\$ 48,005.83	\$ 51,352.21	\$ 52,892.86	\$ 54,479.65	\$ 56,114.03	\$ 57,797.45
S-9	\$ 43,285.54	\$ 45,025.66	\$ 46,757.01	\$ 49,094.85	\$ 52,517.24	\$ 54,092.76	\$ 55,715.55	\$ 57,387.00	\$ 59,108.62

Hourly Positions									
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
H-1	\$ 7.56	\$ 7.86	\$ 8.16	\$ 8.58	\$ 9.17	\$ 9.44	\$ 9.71	\$ 10.01	\$ 10.31
H-2	\$ 8.68	\$ 9.02	\$ 9.38	\$ 9.87	\$ 10.53	\$ 10.85	\$ 11.18	\$ 11.51	\$ 11.86
H-3	\$ 9.80	\$ 10.19	\$ 10.60	\$ 11.14	\$ 11.92	\$ 12.28	\$ 12.64	\$ 13.01	\$ 13.40
H-4	\$ 10.91	\$ 11.37	\$ 11.82	\$ 12.41	\$ 13.28	\$ 13.67	\$ 14.09	\$ 14.52	\$ 14.95
H-5	\$ 12.06	\$ 12.55	\$ 13.02	\$ 13.68	\$ 14.66	\$ 15.09	\$ 15.55	\$ 16.02	\$ 16.50
H-6	\$ 13.18	\$ 13.69	\$ 14.25	\$ 14.96	\$ 16.03	\$ 16.51	\$ 17.00	\$ 17.51	\$ 18.05
H-7	\$ 14.29	\$ 14.87	\$ 15.46	\$ 16.25	\$ 17.37	\$ 17.87	\$ 18.42	\$ 18.96	\$ 19.54
H-8	\$ 15.47	\$ 16.09	\$ 16.75	\$ 17.56	\$ 18.79	\$ 19.36	\$ 19.92	\$ 20.51	\$ 21.13
H-9	\$ 16.73	\$ 17.40	\$ 18.11	\$ 19.00	\$ 20.31	\$ 20.91	\$ 21.55	\$ 22.19	\$ 22.85

Attachment B: 2006 Salary and Wage Pay Level Grids (continued)

Pay levels - Effective 12/29/05

40 Hrs per week - Salaried Positions								1.5% adjustment	
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
S-3	\$ 25,851.45	\$ 26,890.70	\$ 27,966.34	\$ 29,364.64	\$ 31,364.88	\$ 32,305.82	\$ 33,275.00	\$ 34,273.25	\$ 35,301.47
S-4	\$ 30,834.10	\$ 32,073.67	\$ 33,306.97	\$ 34,972.32	\$ 37,410.23	\$ 38,532.53	\$ 39,688.50	\$ 40,879.18	\$ 42,105.55
S-5	\$ 36,838.35	\$ 38,319.30	\$ 39,792.78	\$ 41,782.40	\$ 44,695.06	\$ 46,035.89	\$ 47,416.99	\$ 48,839.50	\$ 50,273.83
S-6	\$ 42,391.42	\$ 44,095.61	\$ 45,791.19	\$ 48,080.72	\$ 51,432.43	\$ 52,975.40	\$ 54,564.66	\$ 56,201.59	\$ 57,887.64
S-7	\$ 49,455.99	\$ 51,444.17	\$ 53,373.37	\$ 56,093.45	\$ 60,003.67	\$ 61,700.98	\$ 63,657.90	\$ 65,567.64	\$ 67,534.67
S-8	\$ 56,526.65	\$ 58,799.08	\$ 61,060.05	\$ 64,113.03	\$ 68,582.23	\$ 70,639.81	\$ 72,759.01	\$ 74,941.76	\$ 77,190.01
S-9	\$ 57,808.97	\$ 60,132.95	\$ 62,445.22	\$ 65,567.47	\$ 70,138.16	\$ 72,242.30	\$ 74,409.59	\$ 76,641.86	\$ 78,941.12

37.5 Hrs per week - Salaried Positions								1.5%	
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
S-3	\$ 24,300.36	\$ 25,277.25	\$ 26,288.35	\$ 27,602.75	\$ 29,482.99	\$ 30,367.47	\$ 31,278.49	\$ 32,216.86	\$ 33,183.38
S-4	\$ 28,984.06	\$ 30,149.25	\$ 31,308.56	\$ 32,873.98	\$ 35,165.62	\$ 36,220.58	\$ 37,307.19	\$ 38,426.43	\$ 39,579.21
S-5	\$ 34,628.05	\$ 36,020.14	\$ 37,405.22	\$ 39,275.46	\$ 42,013.35	\$ 43,273.74	\$ 44,571.97	\$ 45,909.12	\$ 47,257.41
S-6	\$ 39,847.93	\$ 41,449.87	\$ 43,043.71	\$ 45,195.89	\$ 48,346.48	\$ 49,796.87	\$ 51,290.78	\$ 52,829.49	\$ 54,414.38
S-7	\$ 46,488.62	\$ 48,357.52	\$ 50,170.97	\$ 52,727.83	\$ 56,403.45	\$ 57,998.92	\$ 59,838.42	\$ 61,633.58	\$ 63,482.59
S-8	\$ 53,135.06	\$ 55,271.13	\$ 57,396.44	\$ 60,266.25	\$ 64,467.30	\$ 66,401.42	\$ 68,393.46	\$ 70,445.26	\$ 72,558.61
S-9	\$ 54,340.43	\$ 56,524.98	\$ 58,698.51	\$ 61,633.42	\$ 65,929.86	\$ 67,907.76	\$ 69,945.00	\$ 72,043.35	\$ 74,204.64

30 Hrs per week - Salaried Positions								1.5%	
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
S-3	\$ 19,647.10	\$ 20,436.92	\$ 21,254.40	\$ 22,317.13	\$ 23,837.31	\$ 24,552.42	\$ 25,289.01	\$ 26,047.67	\$ 26,829.11
S-4	\$ 23,433.92	\$ 24,375.98	\$ 25,313.30	\$ 26,578.97	\$ 28,431.77	\$ 29,284.72	\$ 30,163.25	\$ 31,068.18	\$ 32,000.22
S-5	\$ 27,997.15	\$ 29,122.65	\$ 30,242.51	\$ 31,754.63	\$ 33,968.24	\$ 34,987.28	\$ 36,036.91	\$ 37,118.02	\$ 38,208.11
S-6	\$ 32,217.47	\$ 33,512.66	\$ 34,801.29	\$ 36,541.35	\$ 39,088.64	\$ 40,261.30	\$ 41,469.14	\$ 42,713.21	\$ 43,994.61
S-7	\$ 37,586.56	\$ 39,097.58	\$ 40,563.76	\$ 42,631.02	\$ 45,602.78	\$ 46,892.74	\$ 48,380.01	\$ 49,831.40	\$ 51,326.35
S-8	\$ 42,960.26	\$ 44,687.30	\$ 46,405.64	\$ 48,725.92	\$ 52,122.49	\$ 53,686.25	\$ 55,296.84	\$ 56,955.74	\$ 58,664.41
S-9	\$ 43,934.82	\$ 45,701.04	\$ 47,458.37	\$ 49,831.27	\$ 53,305.00	\$ 54,904.15	\$ 56,551.28	\$ 58,247.81	\$ 59,995.25

Hourly Positions									
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
H-1	\$ 7.67	\$ 7.98	\$ 8.28	\$ 8.71	\$ 9.31	\$ 9.58	\$ 9.86	\$ 10.16	\$ 10.46
H-2	\$ 8.81	\$ 9.16	\$ 9.52	\$ 10.02	\$ 10.69	\$ 11.01	\$ 11.35	\$ 11.68	\$ 12.04
H-3	\$ 9.95	\$ 10.34	\$ 10.76	\$ 11.31	\$ 12.10	\$ 12.46	\$ 12.83	\$ 13.21	\$ 13.60
H-4	\$ 11.07	\$ 11.54	\$ 12.00	\$ 12.60	\$ 13.48	\$ 13.88	\$ 14.30	\$ 14.74	\$ 15.17
H-5	\$ 12.24	\$ 12.74	\$ 13.22	\$ 13.89	\$ 14.88	\$ 15.32	\$ 15.78	\$ 16.26	\$ 16.75
H-6	\$ 13.38	\$ 13.90	\$ 14.46	\$ 15.18	\$ 16.27	\$ 16.76	\$ 17.26	\$ 17.77	\$ 18.32
H-7	\$ 14.50	\$ 15.09	\$ 15.69	\$ 16.49	\$ 17.63	\$ 18.14	\$ 18.70	\$ 19.24	\$ 19.83
H-8	\$ 15.70	\$ 16.33	\$ 17.00	\$ 17.82	\$ 19.07	\$ 19.65	\$ 20.22	\$ 20.82	\$ 21.45
H-9	\$ 16.98	\$ 17.66	\$ 18.38	\$ 19.29	\$ 20.61	\$ 21.22	\$ 21.87	\$ 22.52	\$ 23.19

OFFICE OF THE BOARD OF SELECTMEN
8 WEST COMMON STREET
TOPSFIELD, MA 01983

U.S. POSTAGE
PAID
PERMIT NO. 51
TOPSFIELD, MA



TO ALL REGISTERED VOTERS:

RESIDENT
TOPSFIELD, MA 01983

ANNUAL AND SPECIAL TOWN MEETING

Proctor School, Woodbury Auditorium

TUESDAY, MAY 3, 2005 at 7:00PM

and if needed, continued on Wednesday, May 4, 2005

ANNUAL TOWN ELECTION

THURSDAY, MAY 5, 2005

7:00 AM to 8:00 PM

ST. ROSE CHURCH HALL

12 Park Street, Topsfield